

PLANNING AND DEVELOPMENT BOARD MINUTES

January 28, 2011 City Hall, Planning and Development Department Rm 202, 9:00 a.m.
 1000 Commonwealth Avenue, Newton, Massachusetts 02459

Full Members Present:

David Banash

Joyce Moss

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 CITY CLERK
 NEWTON, MA. 02159

Alternate Members Present:

Howard Haywood

Staff Present:

Kathleen Cahill, Community Development Senior Planner

Candace Havens, Planning Director (ex-officio)

Action Item: #142-09(6): INTERIM DIRECTOR OF PLANNING AND DEVELOPMENT requesting to amend Chapter 30, §30-15(u) and TABLE 1 regarding Floor Area Ratio (FAR) to institute a new method of calculating maximum FAR for single- and two-family structures in residential districts based on a sliding scale tied to lot size and zoning district; to amend § 30-1 definitions of "gross floor area" and "floor area ratio" to include additional building features, accessory structures, and mass below first story; to amend § 30-1 to add definitions of "carport," "porch," "enclosed porch," and "mass below first story;" to delete the reference to §30-15 Table 1 contained in §30-21(c) and replace it with a reference to §30-15(u); to determine a date between six (6) and twelve (12) months from date of passage, that the above amendments will become effective; and to extend the expiration dates of §30-15(u) paragraphs 1, 2, and 3 so they remain in effect until such date that the above amendments become effective.

J. Moss expressed her reservations about voting in favor of the item because of concern for residential property owners who propose modifications just over the threshold for FAR, which would then require them to obtain a special permit. One suggestion was to have an apolitical design review body that would act as a 'safety valve' for modifications that modestly exceed the FAR threshold. This could prove especially useful during the first year while the FAR limits are being observed. H. Haywood agreed that FAR revisions don't address design and was concerned that the special permit process could be burdensome for people with fewer means. D. Banash agreed that design review or some administrative review of minor exceptions is worth further study, yet he supported the amendment as written; though it may not be perfect, he believes the new language is thoughtful and able to address the flaws in the current ordinance, particularly for the smallest lots, and is better than current language. He was encouraged that post-enactment review by the Planning and Development Department was welcomed. C. Havens also supported the amendment, felt it was well-conceived and thoroughly vetted. She also noted that most of the previous FAR requests that required special permits were heard and acted upon in one night with the help of attorneys, thus reducing the time for decisionmaking and costs to petitioners.

The motion by D. Banash to approve #142-09(6) as amended by the Zoning and Planning Committee on January 24, 2011, failed 2-2 (Haywood and Moss opposed). There being no further business, the meeting was adjourned at 9:00 a.m.

Respectfully Submitted,

Candace Havens

Director of Planning and Development